

## **REMARKS/ARGUMENTS**

The Office Action mailed September 8, 2005 has been carefully considered.

Reconsideration in view of the following remarks is respectfully requested.

### **Drawings**

New corrected formal drawings are submitted herewith in accordance with the Examiner's request in paragraph 1 of the Office Action.

### **Claim Objections**

Claims 3, 5 and 8 stand objected to because an "I" was used to refer to claim --1--. With this amendment these claims have been corrected as requested.

### **The First 35 U.S.C. § 103 Rejection**

Claims 1-6, 8, 9, 11-16, 18, 19, 21-25, 27 and 28 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shannon (U.S. Patent 6,233,618) in view of Mortl,<sup>1</sup> among which claims 1, 11 and 21 are independent claims. This rejection is respectfully traversed.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.<sup>2</sup>

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<sup>1</sup> International Publication No. WO 01/98934.

<sup>2</sup> M.P.E.P. § 2143.

Specifically, the Office Action contends that the elements of the presently claimed invention are disclosed in Shannon except that Shannon does not disclose periodic forwarding of location indicators not in the database from subscriber networks to a remote node. The Office Action further contends that Mortl discloses periodic forwarding and that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Mortl's remote server access control system into Shannon's content filtering and access control system in order to allow the combined system to be used from anywhere, instead of being linked to a specific LAN. The Applicants respectfully disagree for the reasons set forth below.

Shannon describes an access control technique to limit access to information content such as available on the Internet, which technique is implemented in a network gateway device. The technique involves analysis of data in each request from a network client and analyzes whether the request should be forwarded for processing by a server. The analysis involves comparing client source information against a database of resource identification data created with the aid of human editors. As properly conceded by the Examiner, Shannon does not disclose periodically forwarding location indicators not in the database from subscriber networks to a remote node.

Mortl describes Internet content filtering software aimed at limiting the type and amount of information available to individuals in an academic or domestic setting. In particular a client component of the software for performing logon functions and scanning the Internet for content associated with permitted URLs runs locally on a user's computer. Furthermore the Mortl software provides a solution focussing on allowing parents to control what level of filtering applies to their child while using the Internet at school.

Applicant strongly but respectfully submits that there is a lack of motive for the skilled artisan to combine the references as proposed by the Examiner.

The Shannon technique is contrasted, in lines 23 to 42 of col. 2, with other (prior art) schemes which place access control responsibility squarely within the client. In these schemes software is installed on client machines to control the ability of the client browser software to receive data from certain restricted servers. One example of such a scheme is disclosed by Mortl, which includes a software component running locally on a client machine that compares client requests for content with a list/table of permitted and prohibited URLs stored on an Internet server, together with local scanning of content from permitted URLs.

However, Shannon clearly regards the prior art schemes (like Mortl) to suffer drawbacks including considerably slowed access times, as described in the last paragraph of col. 2 and the possibility of de-configuring or un-installing the client software, as described in the first paragraph of col. 3.

Accordingly, the applicant submits that it would not have been obvious to combine Shannon with Mortl, since Shannon clearly teaches away from a prior art scheme comprising client software providing local scanning as described by Mortl, which client software is replete with the very problems identified by Shannon.

Turning now to Mortl, he identifies at lines 14 to 18 of page 3 the drawback of pushing a new prohibited site list to everyone utilizing a prior art vendor's program over the Internet, due to the time consumed and the requirement for human intervention.

Similarly, but for different reasons, Mortl adopts a position opposed to Shannon which discloses, in lines 25-43 of col 9, the provision of a category database using update disks or via subscription to periodic database updates, controlled by a third party offering the subscription to the category/restricted destination database. Thus Mortl in return teaches away from any prior art scheme involving distribution of prohibited site lists and updates created with the aid of human editors, as advocated by Shannon.

The applicant further submits that it was generally accepted, by those of ordinary skill in the field of filtering or controlling access to Internet content, at the time of the applicant's invention that it was not acceptable, permissible or desirable to collect user generated URLs or other resource identifiers attributable to individual users and particularly to re-transmit same to an access control server, due to privacy concerns. Furthermore, the skilled artisan would be unlikely to look to or even consider a client-based filtering technique, adapted for parental control of children in an academic or domestic setting, in order to solve problems posed by an enterprise-based access control scheme proposed by Shannon, particularly in view of the problems of maintenance and control of client software components.

As to dependent claims 2-6, 8, 9, 12-16, 18, 19, 22-25, 27 and 28, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The Second 35 U.S.C. § 103 Rejection

Claims 7, 17 and 26 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shannon (U.S. Patent 6,233,618) in view of Mortl, further in view of Maurer (Maurer et al., "Hash Table Methods," 1975, pp. 5-19. This rejection is respectfully rendered moot in view of the submission above.

The Third 35 U.S.C. § 103 Rejection

Claims 10, 20 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shannon (U.S. Patent 6,233,618) in view of Mortl, further in view of Willens (U.S. Patent 5,889,958). This rejection is similarly rendered moot in view of the submission above.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,

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